

Application No.: 09/938,551
Response under 37 C.F.R. §1.116 dated January 21, 2005
Response to the Office Action of November 26, 2004

REMARKS

Reconsideration of this application, as presently amended, is respectfully requested. Claims 1 - 3 are pending in this application. Claims 1 – 3 stand rejected. No new matter has been added. The rejections set forth in the Office Action are respectfully traversed below.

Rejections Under 35 U.S.C. §102

Claims 1 – 3 were rejected under 35 U.S.C. §102(b) as being anticipated by JP 2584278. For the reasons set forth in detail below, this rejection, to the extent it is considered to apply to the present claims, is respectfully traversed.

JP 2584278 discloses a turret punch press device. As shown in Fig. 1, the device includes a tool set housing section 27 that stores dies sets 29 and an individual tool housing section 32 in which only an upper or lower tool 30 is individually housed. The **JP 2584278** device also includes an individual tool replacing device that can remove tools from the individual tool housing section 32 and individually install an upper or lower tool in a tool installation area 33 of a turret 9. The individual tool replacing device also removes individual tools from the turret 9 and installs the tools in the individual tool housing section 32 (see English language abstract, lines 17 - 25). Furthermore, Fig. 3 of JP 2584278 appears to illustrate a device for exchanging tools having pistons 88P and 88D operating individually.

Claim 1 has been amended to clarify the cartridge transferring and loading means. More particularly, claim 1 to has been amended to recite “a cartridge transferring and loading means comprising an upper cartridge transferring and loading means and a lower cartridge transferring

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and loading means for transferring the upper and lower cartridges independently of each other along the upper transferring and loading path and the lower transferring and loading path, respectively, to a punch processing position.” By amending claim 1 in the above manner, the claim emphasizes that the upper and lower cartridges are independently transferred *to a punch processing position*.

In contrast, according to **JP 2584278** the individual tool replacing device can individually install tools in the turret. However, **JP 2584278** does not disclose or suggest that the tools are individually moved by the turret to a punch processing position. In other words, although the tools can be individually transferred to the turret, it appears that after individually transferring an upper and a lower tool to the turret, the tools are transferred by the turret as a pair to the punch processing position.

In view of the above amendments and remarks, reconsideration and withdrawal of the rejection of claims 1 – 3 under 35 U.S.C. §102(b) are respectfully requested.

CONCLUSION

For the reasons set forth in detail above, it is respectfully submitted that all pending claims are in condition for allowance. An indication of allowability of all pending claims is respectfully requested.

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If the Examiner believes that there are any issues remaining to be resolved in this application, the Examiner is invited to contact the undersigned attorney at the telephone number indicated below to arrange for an interview to expedite and complete prosecution of this case.

In the event that any fees are due in connection with the filing of this paper, please charge any fees to Deposit Account No. 50-2866.

Respectfully Submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, reading "William M. Schertler". The signature is fluid and cursive, with the first name "William" and middle initial "M." clearly legible, followed by the last name "Schertler".

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